

ASSIGNED

AMENDED

Serial No.

22256

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office

SEP 16 1964

Returned to applicant for correction.

OCT 23 1964

Corrected application filed

DEC. 22 1964

Map filed.

DEC 22 1964

The applicant.

James B. Benton, originally Glenn H. Miller

of..... Battle Mountain.

County of

- Lander -

State of Nevada, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is..... **Underground**
 Name of stream, lake or other source.

2. The amount of water applied for is..... **5.4 c.f.s.** second-feet
 One second-foot equals .448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet..... acre-feet

3. The water to be used for..... **Irrigation**
 Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated)..... **160 acres**

(b) Stockwater (state number and kinds of animals to be watered)

(c) Other use (describe fully under "No. 11. Remarks")

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point: **SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 31, T. 26 N., R. 43 E., M.D.B.&M.**, or at a point from which the SE cor. of said Sec. 31
 Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
 bears S. $42^{\circ} 50'$ E., 3710 ft. distant.
 it should be stated.

6. Place of use..... **NE $\frac{1}{4}$ Sec. 31, T. 26 N., R. 43 E., M.D.B.&M.**
 Describe by legal subdivision, if on unsurveyed land it should be so stated.
Total of 160 acres.

7. Use will begin about **June** Month and end about **September** Month, of each year.

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)..... **gated pipe**

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works..... \$4,800.00
10. Estimated time required to construct works..... one week
11. Remarks....This is a request for a supplementary well. I now have a well in the S.W. corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 31. This well originally produced about 700 gpm....I have had work done on this well but so far have not had any luck in fact the water is now only producing about 200 gpm, therefore I am requesting a Permit for 2400 gpm. My previous permit number was 18691.

Applicant..... James B. Benton

By..... s/Robert W. Millard

Robert W. Millard, Agent

P. O. Box 150

Ely, Nevada

Compared..... awb/hs..... hs/awb

APPROVAL..... OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit is issued subject to all existing rights on the source and is limited to what the well will produce but not to exceed 2.7 c.f.s. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. A substantial weir or other type of measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening and an air line for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times. The total diversion under this permit and Permit 18916 shall not exceed 5.4 c.f.s.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 2.7..... cubic feet per second, but not to exceed a seasonal duty of 4.0 acre-feet per acre of land irrigated.

Actual construction work shall begin on or before..... October 27, 1965

Proof of commencement of work shall be filed before..... November 27, 1965

Work must be prosecuted with reasonable diligence and be completed on or before..... October 27, 1966

Proof of completion of work shall be filed before..... November 27, 1966

Application of water to beneficial use shall be made on or before..... October 27, 1968

Proof of the application of water to beneficial use shall be filed on or before..... November 27, 1968

Map in support of proof of beneficial use shall be filed on or before..... November 27, 1968

Commencement of work filed.....

Completion of work filed..... NOV 1 1967..... WITNESS MY HAND AND SEAL this..... 27th..... day

Proof of beneficial use filed..... NOV 1 1967..... under 18916.....

Cultural map filed..... NOV 1 1967..... under 18916.....

Certificate No. 6702 Issued 7-15-68.....

Recorded 7-23-68 Bk. 27 Page 532.....

George W. Hennen.....

County Recorder.....

State Engineer.....

218 (Rev.).....

Abrogated By 41505.....

By..... Dolores D. Vining.....

Assistant State Engineer.....